

Noureddine Malki
34-16 College Point Boulevard
Flushing, Queens
New York, NY 11354

12/19/2016

Honorable Judge Brian Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ DEC 23 2016 ★

BROOKLYN OFFICE

Re: Noureddine Malki V. United States
Miscellaneous Docket No. 16-1680(BMC)

1. In response to the prosecutor's submission dated December 9, 2016, I respectfully request that this court stay its order or issue an order calling for a systematic and detailed forensic examination to be led by independent investigators before any "sanitization procedures" can be done to my personal laptop. My personal laptop was never used as a storage medium for classified content and contains nothing but legitimate downloads from legitimate sites. My personal laptop holds, among other personal things, digital photographs of friends, family members, and educational files about nature and astronomy. These graphic files must not be condemned as "classified" or "contraband" because they form an important part of my recollections and have nothing to do with the prosecutor's claims of any classified materials.
2. If any "sanitization procedures" take place before any independent investigation, I will end up losing unforgettable part of my recollections and memories and be subject to further victimization by the prosecutors. In the absence of a supervised forensic inspection by independent investigators to determine whether any classified materials were ever uploaded into my laptop computer, prosecutors are trying to come up with any excuse to justify their schemes to keep my laptop for no clear reason. I further question if my personal laptop still exists. It may have been destroyed already and the prosecutors may have looping around by trying to come up with twists and turns to try to reverse the court's decision on this issue as a cover up.
3. The prosecutor's claim of a forensic review of my computer's hard drives was not presented to this Court, as is, to see if anything illegal was ever committed. Evidence should have been presented to this Court to prove that my laptop was in fact used to upload classified information. Instead, prosecutors set to challenge the court by introducing other means and justifications such as that of the 82nd Airborne Division. The person who signed and executed the letter on behalf of the prosecutors has neither rights nor privileges to comment on classified information because since he is not authorized to view it, then he has no right to comment on issues beyond his clearance

4. If, however, this court decides to reconsider its ruling, then I request that my personal files and folders be safeguarded and set aside for me to pick up. My personal laptop is outdated by other faster and smarter computers that have rendered it almost obsolete. I am looking ahead into the future and prosecutors can keep the laptop but must return my personal unclassified files and folders that have nothing to do with prosecutors' claims.
5. I hope and pray that this court understands my frustration to get my laptop back. I further question if the same treatment could have been leveled against someone of different faith and ethnicity

Respectfully submitted
Noureddine Malki

X

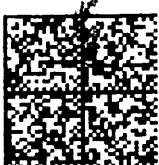


Cc: Clerk of the Court(BMC) (By US Mail)
Michael P. Canty A.U.S.A (By US Mail)



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THE HONORABLE BRIAN M. COGAN

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EASTERN DISTRICT OF NEW YORK
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